

Regular Session, 2009

SENATE BILL NO. 302

BY SENATOR BROOME

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CHILDREN. Provides for the conversion of Jetson Center for Youth. (8/15/09)

AN ACT

To amend and reenact R.S. 15:902.3(A) and 902.4(A), (B) and (D), relative to the Department of Corrections; to provide relative to juvenile placement; to provide relative to the conversion of Jetson Center for Youth; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:902.3(A) and 902.4(A), (B) and (D) are hereby amended and reenacted to read as follows:

§902.3. Juvenile placement review process

A. The legislature hereby finds that in order to improve our juvenile justice system it is necessary that every juvenile in the custody of the Department of Public Safety and Corrections be reviewed periodically in order to determine whether the juvenile is placed in the least restrictive placement most appropriate to their needs and consistent with the circumstances of the case and the protection of the best interests of society and the safety of the public within the state. In order to facilitate the transition of the Swanson Correctional Center for Youth-Madison Parish Unit and Jetson Center for Youth-East Baton Rouge Parish Unit to alternate adult offender

utilization as provided in R.S. 15:902.2, **and facilitate the conversion of Jetson Center for Youth-East Baton Rouge Parish Unit to a regional treatment facility,** the provisions of this Section shall be applicable.

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§902.4. ~~Closure~~ **Conversion** of Jetson Center for Youth-East Baton Rouge Parish Unit **to a regional treatment** as a facility for juveniles

A.(1) By June 30, 2009, the Jetson Center for Youth-East Baton Rouge Parish Unit shall ~~no longer be used as a juvenile facility.~~ **be converted to a regional treatment facility and renamed the Capital Area Center for Youth. The buildings of the Capital Area Center for Youth will be located together in a small area on the existing Jetson property. The facility shall have a design capacity aligned with national best practices. The design shall limit the dormitory capacity to twelve youth, and implement a therapeutic setting. The regional facility shall house not more than ninety-nine youths.**

(2) Notwithstanding any provision of Paragraph (A)(1) of this Subsection, the governor by executive order and upon a declaration that there is a public safety emergency which necessitates the use of Jetson Center for Youth-East Baton Rouge Parish Unit as a juvenile facility may extend the ~~closure~~ **conversion** date by a period not to exceed five months from the date of issuance of the declaration of emergency. ~~Under no circumstances shall Jetson Center for Youth-East Baton Rouge Parish Unit be used as a juvenile facility after November 30, 2009.~~

(3) No provision of this Subsection shall prohibit the department from ~~closing~~ **converting** Jetson Center for Youth-East Baton Rouge Parish Unit **to the Capital Area Center for Youth** at any time prior to June 30, 2009, should the protection and public safety of society permit.

B.(1) The Department of Public Safety and Corrections, office of juvenile justice shall develop a comprehensive plan for transitioning of these youth **and conversion of the facility** based upon the health, safety, and best interest of each child and the protection and public safety of society. The comprehensive plan shall

1 include the following:

2 ~~(a) A specific plan for provision of aftercare services to meet the needs of~~
3 ~~juveniles for whom release to the community is recommended and to provide for~~
4 ~~safety to the community.~~

5 ~~(b) A specific date after which youths adjudicated delinquent and committed~~
6 ~~to the department shall no longer be assigned or reassigned to Jetson Center for~~
7 ~~Youth-East Baton Rouge Parish Unit.~~

8 ~~(c) The plan shall permit the funds spent at Jetson Center for Youth-East~~
9 ~~Baton Rouge Parish Unit to be reallocated or transferred within the office of juvenile~~
10 ~~justice in proportion to the youth reassigned from Jetson to such programs.~~

11 ~~(d) The plan shall include recommendations for an alternative use of the~~
12 ~~facility and property of the former Jetson Center for Youth-East Baton Rouge Parish~~
13 ~~Unit, such as a productive reentry center managed by the Department of Public~~
14 ~~Safety and Corrections provided that all youth offenders will be treated in a humane~~
15 ~~manner.~~

16 ~~(e)~~**(a)** A recommendation for implementation and funding for three regional
17 youth centers with populations not to exceed ~~forty-eight~~ **ninety-nine** youths and
18 ~~housing~~ **dormitory** units not to exceed twelve youths. Each center shall execute
19 effective educational and therapeutic practices.

20 ~~(f)~~**(b)** The Department of Public Safety and Corrections, office of juvenile
21 justice, in conjunction with the Juvenile Justice Reform Act Implementation
22 Commission shall develop a comprehensive needs assessment plan for determining
23 the quantity and location of additional community-based treatment and supervision
24 programs for youth within the Louisiana juvenile justice system.

25 ~~(g)~~**(c)** The plan shall include recommendations for the development of
26 operating procedures to ensure that the violence and other documented problems that
27 occurred at the Jetson Center for Youth-East Baton Rouge Parish Unit are not
28 replicated at ~~another~~ **Capital Area Center for Youth** or other facilities where the
29 youth are transferred.

1 ~~(h) The plan shall include a study concerning the feasibility of dispersing~~
2 ~~youth to multiple facilities if they have been adjudicated delinquent for a crime of~~
3 ~~violence or who have documented histories of violence since being placed at the~~
4 ~~Jetson facility.~~

5 (2) The secretary of the department shall submit the plan on or before
6 ~~September 1, 2008,~~ **November 20, 2009,** to the governor, to the Joint Legislative
7 Committee on the Budget, and to the Juvenile Justice Reform Act Implementation
8 Commission created by R.S. 46:2751 et seq.

9 **(3)** Beginning on January 1, 2009, and every month thereafter until such time
10 as Jetson Center for Youth-East Baton Rouge Parish Unit is ~~discontinued as a~~
11 ~~juvenile facility,~~ **converted to the Capital Area Center for Youth** the department
12 **office of juvenile justice** shall submit to the Juvenile Justice Reform Act
13 Implementation Commission a status report detailing the following items:

14 (a) The total number of youths in the facility.

15 ~~(b) The number of youths transitioned out of the facility and the facility to~~
16 ~~which the child was transferred.~~

17 ~~(c) The number of youths, if any, placed in the facility, and the reason for this~~
18 ~~placement as opposed to placement in another juvenile facility, subject to applicable~~
19 ~~confidentiality requirements.~~

20 ~~(d)~~**(b)** Other information requested by the commission.

21 * * *

22 D. The Department of Public Safety and Corrections shall give a hiring
23 preference to any employee who has been involuntarily dismissed as the result of the
24 ~~closure~~ **conversion** of the Jetson Center for Youth-East Baton Rouge Unit to fill an
25 opening in the workforce of the office of juvenile justice for which that employee is
26 qualified.

The original instrument was prepared by Bobbie Hunter. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Watson.

DIGEST

Present law provides for a juvenile placement review process to improve the juvenile justice system and determine whether juveniles placed in the custody of the Department of Public Safety and Corrections (DPS&C) are placed in an environment appropriate to their needs and consistent with the circumstances of the case and the protection and the best interest of society.

Present law provides for the closure of Jetson Center for Youth-East Baton Rouge Parish, a facility for juveniles, by June 30, 2009.

Proposed law provides that Jetson Center for Youth shall be converted into a regional treatment facility and renamed the Capital Area Center for Youth. The design will limit the number of youths per dorm, and the facilities must have a therapeutic setting.

Present law requires the DPS&C, office of juvenile justice to develop a comprehensive plan for transition of youth based upon health, safety, and best interest of each child and the protection and public safety of society. Provides that such plan shall include recommendations for implementation and funding for three regional youth centers, a comprehensive needs assessment and operating procedures.

Proposed law retains present law.

Present law provides that after January 1, 2009, and every month thereafter until Jetson is discontinued as a juvenile facility, DPS&C must submit a status report to the Juvenile Justice Reform Act Implementation Commission detailing the total number of youths in the facility, the number transitioned out of the facility and the facility to which the child was transferred, and the number of youths placed in the facility and the reason for the placement.

Proposed law retains present law but removes the reporting requirement on the number of children transitioned out of the facility, where the child was transferred, and the number of children placed in the facility.

Effective August 15, 2009.

(Amends R.S. 15:902.3(A) and 902.4(A), (B), and (D))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill.

1. Maintains present law requirement of DPS&C, office of juvenile justice to develop a comprehensive plan.